
HAMOT MEDICAL CENTERMEDICAL EDUCATION POLICY

EFFECTIVE DATE: August 6, 1999

REVISED BY MED: September 6, 2002

SUBJECT: Grievance Resolution and Due Process Page No. 1 of 2 Pages
For Residency Physicians/Interns

PURPOSE

This policy outlines the due process procedure by which residents/interns are expected to deal with a grievance. It applies to complaints or grievances arising from alleged unfair or discriminatory treatment by the faculty, Program Director, VP for Medical Education, Osteopathic DME or by other employees of Hamot Medical Center (HMC). This policy also must be utilized for adjudication of resident/intern complaints and grievances related to dismissal, non-renewal of the Agreement of Appointment or any other action that could threaten a resident's/intern's intended career. All residents'/interns' grievances should be appropriately resolved in a timely manner. It is the role of the institution to support an approach to resolving such grievances and it is expected that the resident/intern him/herself will be an active participant in that process.

PROCEDURE

Any grievance related to an individual resident's/intern's competence or professional behavior should be brought directly to the appropriate Program Director. Other non-resident/intern professional competency related issues must also be brought directly to the respective residency director. For issues concerning suspected professional impairment, the resident is referred to the appropriate institutional processes outlined in the impairment policy.

Issues arising out of interactions with a peer are expected to be resolved directly with the individual in question. If the issue continues to be unresolved, the administrative/supervisory hierarchy should be appropriately utilized which may include the VP for Medical Education.

Any resident/intern who believes that an issue concerning him/her, including any adverse recommendation affecting the resident's/intern's training (e.g. probationary status for the resident/intern), that has not been adequately addressed after the above steps may invoke the Due Process Procedure as outlined below. Any resident/intern who has a concern about an issue involving compliance with corporate policy is requested to follow the process outlined in the corporate compliance policy.

Grievance issues involving other individuals not associated with the residency/internship programs should be brought to the attention of the appropriate supervisor (nursing, medical staff, other administrative staff). The appropriate attending physician should be informed and involved if the issue relates directly to clinical care.

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Hamot Medical Center Resident/Intern Due Process Procedure

Any problem, grievance, misunderstanding, or alleged violation(s) of policies or Agreement of Appointment breaches will be resolved as follows:

- Step #1. The resident/intern must attempt to resolve the grievance or complaint via the usual chain of command beginning with the individual, then that persons' advisor or supervisor and then the program director.
- Step #2. Should the resident/intern feel that the issue has not been adequately resolved or is not satisfied with the program directors' decision, he/she may file a written complaint within fourteen (14) days with the Sr. VP of Medical Education.
- Step #3. If Step #2 resolution is still unsatisfactory to the resident/intern or the VP for Medical Education, the resident/intern and/or the VP for Medical Education may direct the matter immediately, in writing, within seven days, to the Medical Education Committee. A committee appointed by the Chair of the MEC, comprising of the VP for Medical Education or designate, the osteopathic DME, a representative of the residency program, a member of the Medical Education Committee, a resident selected from the resident's program by the aggrieved resident, and the Chair of the MEC (or a designate) shall receive and evaluate all pertinent information including, if necessary, direct testimonies from the affected parties within thirty (30) days of having been appointed. The resident/intern shall have the right to meet with the committee and to call witnesses in his/her behalf. The committee shall make its decision and resolve the matter, in writing, by majority vote within fourteen (14) days of concluding its review.

Said decision shall be final and binding on the parties, subject to approval of the Medical Education Committee, Medical Staff Executive Committee and the Board of Directors. Any action taken by any person on behalf of HMC shall be subject to the protections and immunities provided in Section 3 and the confidentiality requirements of Section 4 of the Pennsylvania Peer Review Protection Act.

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